

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

BERTON G. TOAVS,

Plaintiff,

Case No. 3:12-cv-00449-MMD-WGC

ORDER

v.

ROBERT BANNISTER, et al.,

Defendants.

14 Before the Court is Defendants' Motion to Take the Video Deposition of
15 Defendant John Peery Remotely and to Use Same at Trial in Lieu of Live Testimony
16 ("Motion"). (Dkt. no. 88.) Plaintiff has failed to respond to the Motion. LR 7-2(d) provides
17 that "[t]he failure of an opposing party to file points and authorities in response to any
18 motion shall constitute consent to the granting of the motion." By failing to respond,
19 Plaintiff has therefore consented to the granting of the Motion. Moreover, the Court finds
20 that Defendants have demonstrated good cause to support the granting of the Motion
21 under Rules 30(b)(3), 30(b)(4) and 32(a)(4)(C) of the Federal Rules of Civil Procedure.
22 It is therefore ordered that Defendants' Motion (dkt. no. 88) is granted. Defendants'
23 motion for status conference or resolution (dkt. no. 94) is denied as moot.

DATED THIS 26th day of August 2015.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE